

# REQUEST FOR COUNCIL ACTION

MEETING

DATE: 8-18-03

167

|  |                               |  |
|--|-------------------------------|--|
| AGENDA SECTION:<br>PUBLIC HEARINGS   | ORIGINATING DEPT:<br>PLANNING | ITEM NO.<br>E-5                          |
| ITEM DESCRIPTION: Amendment to General Development Plan #159 West 80 Development (formerly known as 48 <sup>th</sup> St. GDP) by West 80 Development LLC. The applicant is proposing to amend the approved GDP changing the alignment of the roadway through the property and identifies the portion of the property that has been purchased by MNDOT. The property is located north of 48 <sup>th</sup> St. SW, west of TH 63 South and east of 11 <sup>th</sup> Ave. SW. |                               | PREPARED BY:<br>Brent Svenby,<br>Planner |

August 11, 2003

NOTE: Please see staff report + CPSC minutes from previous LUPA hearing.

## City Planning and Zoning Commission Recommendation:

On July 23, 2003 the City Planning and Zoning Commission reviewed this General Development Plan.

Wade DuMond of Yaggy Colby Associates addressed the Commission. He reviewed the proposal and stated that applicant agrees with the recommended conditions.


The Commission reviewed this proposal according to the criteria listed in Paragraph 61.215 of the Zoning Ordinance and Land Development Manual.

Mr. Quinn made a motion to recommend approval of amendment to General Development Plan #159 West 80 Development (formerly known as 48<sup>th</sup> Street GDP) with the staff-recommended findings and conditions. Mr. Haeussinger seconded the motion. The motion carried 7-0.

## Conditions:

1. The proposed future centerline alignment of Commercial Drive, at the north end of the property, is subject to future amendment of Official Street Map (OSM) #12 and securing permits for impacting a delineated Wetland. If the OSM #12 is not amended and/or permits for impacting the Wetland are not approved, the alignment must follow the existing approved OSM.
2. Lot access locations to Commercial Drive SW must meet spacing requirements and may require joint access locations. Any proposed uses for this property that differ from those utilized in development of the TIR for the TH 63 project may require a new TIR, and potentially require modifications to the access locations. Access to all lots within this development shall be from Commercial Dr. SW, and spacing is subject to approval by the road authority based on proposed use of individual lots.
3. Construction of a temporary turnaround, and dedication of a temporary easement will be required at the northerly extent of Commercial Drive, until such time the property to the north is developed and the roadway is extended.
4. Pedestrian facilities will be required along the entire frontages of Commercial Drive SW, and the entire frontage of the Property abutting 48<sup>th</sup> St. SW.
5. Prior to Final Plat submittal, and/or development of this Property, the applicant shall enter into a development Agreement with the City that outlines the obligations of the applicant relating to, but not limited to, stormwater management, right-of-way dedication, transportation improvements, access control, pedestrian facilities, extension of utilities, and contributions for public infrastructure. Access, maintenance and ownership of the proposed ponds and wetland areas shall also be addressed in the Development agreement.

COUNCIL ACTION: Motion by: \_\_\_\_\_ Second by: \_\_\_\_\_ to: \_\_\_\_\_

- 
6. All pond facilities shall be platted on separate Outlots.
  7. Access control shall be dedicated along the entire frontage of TH 63 and 48<sup>th</sup> Street SW at the time of platting, except for the access opening along 48<sup>th</sup> Street SW for Commercial Drive SW. Access control shall also be platted along the frontage of Commercial Drive SW, at the time of platting, except where access openings are approved.
  8. Development of this property shall be phased to limit the amount of traffic generated prior to completion of planned roadway improvements to provide adequate public infrastructure to serve the development of the property.
  9. Watermain extension and connections must be provided as required by RPU.

**Planning Staff Recommendation:**

See attached staff report dated July 11, 2003.

**Council Action Needed:**

1. The Council may approve, approve with conditions, or deny the general development plan. The Council must make findings based on the criteria listed in Paragraph 61.215.
2. If the Council wishes to proceed with the general development plan as proposed, it should instruct the City Attorney to prepare a resolution for Council approval.

**Attachments:**

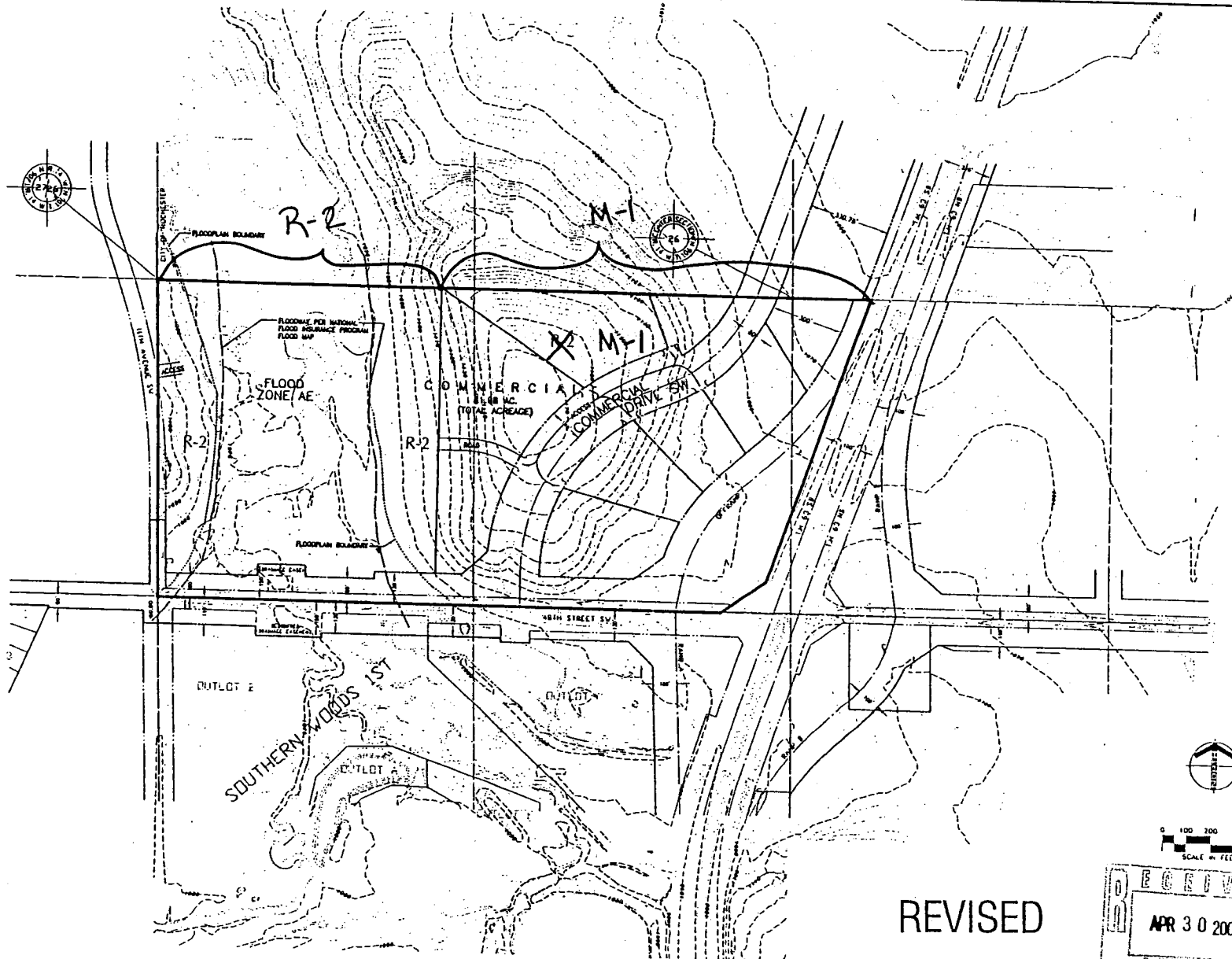
1. Staff Report dated July 11, 2003
2. Minutes of the July 23, 2003 CPZC Meeting (attached to LUPA RCA)

**Distribution:**

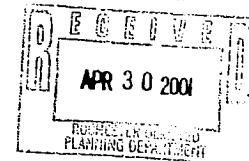
1. City Administrator
2. City Attorney
3. Planning Department File
4. Applicant: This item will be considered some time after 7:00 p.m. on Monday, August 18, 2003 in the Council/Board Chambers in the Government Center at 151 4th Street SE.
5. Yaggy Colby Associates

# Approved GDP

## 2001



REVISED



ENGINEERS • ARCHITECTS  
SURVEYORS • PLANNERS  
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WWW.YAGGYCOLBY.COM

SOUTH BROADWAY  
PARTNERS, LLC  
ROCHESTER, MINNESOTA  
GENERAL DEVELOPMENT PLAN

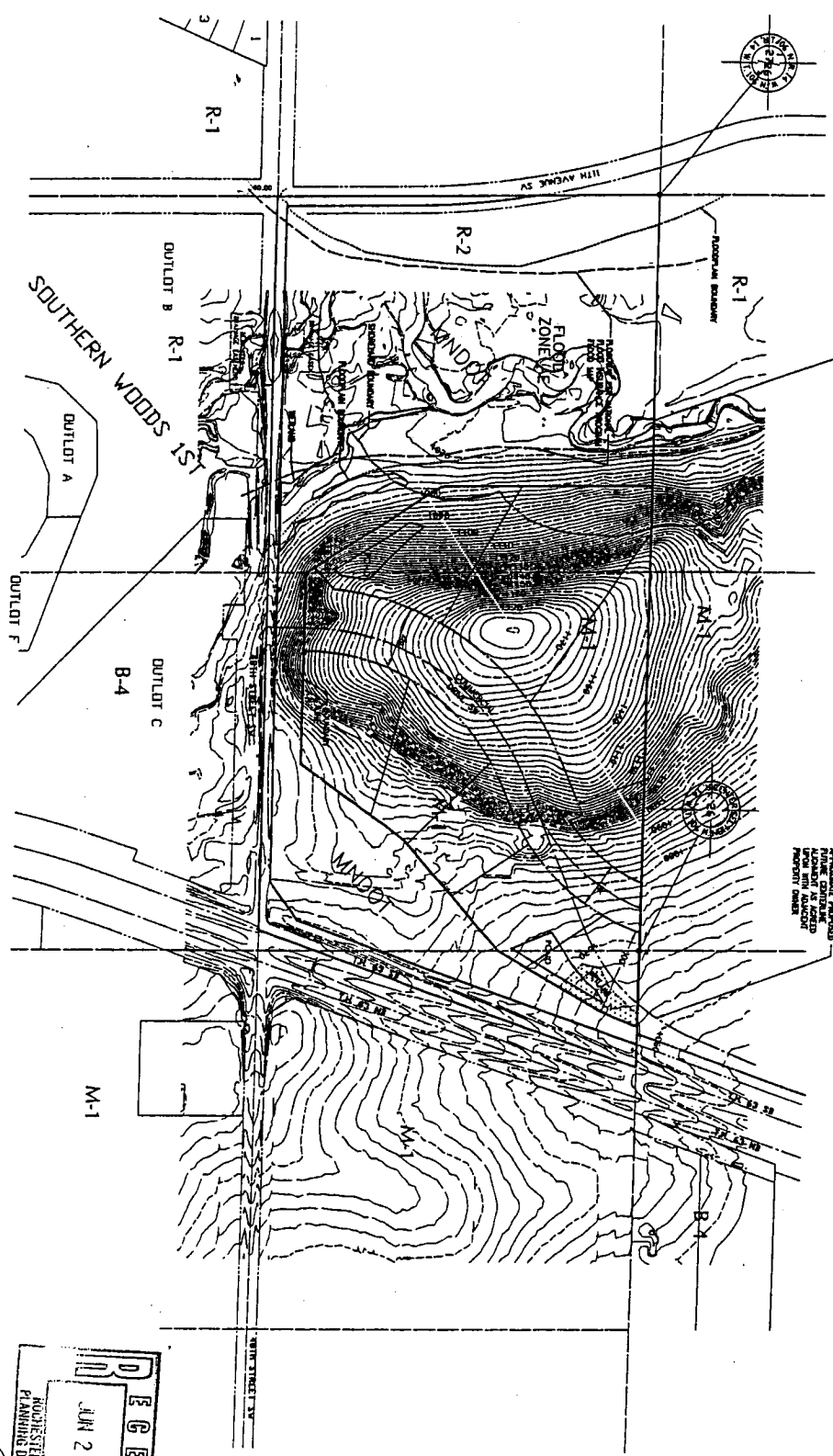
|              |               |
|--------------|---------------|
| Project #    | 7197          |
| Client       |               |
| Project Name | 7197C-201.DWG |
| Date         | 5/14/00       |
| Drawn by     | F.J.C.        |
| Checked by   | M.J.T.        |
| Reviewed by  |               |
| Scale        |               |

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# PROPOSED GDP AMENDMENT 2003

LOT LINES AND LOT NUMBERS AS SHOWN ARE APPROXIMATE. ADDITIONAL OR FURTHER LOTS OR AREAS MAY BE ADDED OR DELETED AT ANY TIME. PLEASE SEE CITY OF ROCHESTER ZONING ORDINANCE FOR ALLOWED DENSITY, INTENSITY AND LAND USES.

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YAGGY COLBY ASSOCIATES  
 112 THIRD AVENUE, SUITE 1100  
 ROCHESTER, MINNESOTA 55904  
 PHONE: (612) 338-3338  
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 E-MAIL: YAGGY@YAGGYCOLBY.COM  
 WEBSITE: WWW.YAGGYCOLBY.COM  
 PREPARED BY: YAGGY COLBY ASSOCIATES  
 DATE: 06/25/03  
 SHEET: 1 OF 1

WEST 80 DEVELOPMENT  
 ROCHESTER, MINNESOTA  
 GENERAL DEVELOPMENT PLAN

|            |          |
|------------|----------|
| PROJECT    | 7869     |
| DATE       | 06/25/03 |
| DRAWN BY   | MCD      |
| CHECKED BY | ME       |
| REVISION   |          |
| SHEET      | 1        |



*The hand to reach for...*  
**DAVID A. KAPLER**  
Fire Chief

DATE: July 17, 2003

TO: Jennifer Garness, Planning

FROM: R. Vance Swisher, Rochester Fire Department

SUBJ: Amendment to General Development Plan #159 West 80 Developments (formerly known as 48<sup>th</sup> St GDP) by West 80 Development LLC.

With regard to the above noted GDP plan, the fire department has the following requirements:

1. An adequate water supply shall be provided for fire protection including hydrants properly located and installed in accordance with the specifications of the Water Division. Hydrants shall be in place prior to commencing building construction.
2. Streets and roadways shall be as provided in accordance with the fire code, RCO 31 and the Zoning Ordinance and Land Development Manual. Emergency vehicle access roadways shall be serviceable prior to and during building construction.
3. All street, directional and fire lane signs must be in place prior to occupancy of any buildings.
4. All buildings are required to display the proper street address number on the building front, which is plainly visible and legible from the street fronting the property. Number size must be a minimum 4" high on contrasting background when located on the building and 3" high if located on a rural mail box at the public road fronting the property. Reflective numbers are recommended.

c: Donn Richardson, RPU, Water Division  
Mark Baker, Rochester Public Utilities  
West 18 Development – 4410 NW 19<sup>th</sup> Street – Rochester, MN 55901  
Yaggy Colby Associates – 717 3<sup>rd</sup> Ave SE – Rochester, MN 55904



Minnesota Department of Transportation

Minnesota Department of Transportation - District 6

Mail Stop 060

2900 48<sup>th</sup> Street N.W.

Rochester, MN 55901-5848

Office Tel: 507-280-2913

Fax: 507-285-7355

E-mail: dale.maul@dot.state.mn.us

July 10, 2003

Jennifer Garness  
Rochester Olmsted Planning Department  
2122 Campus Drive SE - Suite 100  
Rochester, MN 55904

Re: Type III, Phase II Conditional Use Permit (CUP) request #02-46, by West 80 Development, LLC. The applicant is requesting approval for an excavation permit to operate a Quarry on property located north of 48<sup>th</sup> St. SW and west of US Highway 63.

Amendment to General Development Plan (GDP) #159 West 80 Development (formally known as 48<sup>th</sup> St GDP) by West 80 Development LLC.

Land Use Plan Amendment Petition #02-03 and Zoning District Amendment #02-11 by West 80 Development, LLC to amend the Land Use Plan designation from "Low Density Residential" to the Mixed Commercial-Industrial) district on approximately 3.02 acres of land. The property is located north of 48<sup>th</sup> St. SW, west of US Highway 63 South and east of 11<sup>th</sup> Ave.

Dear Ms. Garness:

The Minnesota Department of Transportation (Mn/DOT) has reviewed the above proposals by West 80 Development, LLC.

Presently a permit request is being reviewed within the District, which suggests alterations to the approved 48th Street Interchange Plans. This permit request includes fill along the backslope of the proposed Interchange Ramp, creating a significant change in elevation where Utilities and Sewer installation are proposed. Coordination is needed between Mn/DOT's Construction Engineer, Paul Schauer, Mn/DOT's Permits Regulation Supervisor, Lee Gierok, West 80 Development LLC and the City of Rochester to ensure the proper placement of Utilities and Sewer. Additional information may be requested.

For any additional questions you may contact the Planning Office's Principal Planner, Fred Sandal, at (507) 285-7369 or the Plan and Plat Coordinator, Debbie Persoon-Bement, at (507) 281-7777.

Sincerely,

A handwritten signature in black ink, appearing to read 'Dale E. Maul'.

Dale E. Maul  
Planning Director



*we pledge, we deliver*

July 1, 2003

Rochester-Olmsted  
CONSOLIDATED PLANNING DEPARTMENT  
2122 Campus Drive SE  
Rochester, MN 55904-7996

REFERENCE: Amendment to General Development Plan #159 by West 80 Development LLC to be known as West 80 Development (formerly 48<sup>th</sup> St. GDP). The property is located north of 48<sup>th</sup> St. SW and west of Hwy 63 South.

Dear Ms. Garness:

Our review of the referenced general development plan is complete and our comments are basically the same as the previous amendment comments of September 5, 2002 as follows:

1. This area is currently serviceable from the Intermediate Level Water System that was developed from the Airport High Level Water System and is available for connection approximately 600' south of 48<sup>th</sup> St SW at the west right-of-way line of TH 63. This water main must be extended through the developable portion of the commercial area (the adjoining Outlot C on this plan) designated on the approved Southern Woods General Development Plan to provide service to this property.
2. This water system is limited however in providing large quantities of continuous process water for manufacturing until the planned booster station is completed on the east side of TH 63 (within the Maine Street Development). This would provide service from the Main Level Water System Area, which has the reserve capacity to adequately serve this type of use.
3. Pressures will range from the low 70's PSI to upper 80's PSI from this system based on the preliminary site grading plan elevations.
4. The complexity of creating an adequate water system in this general area along with the lack of information on the proposed use and finished grades for the adjacent property to the north must be taken into account in the final water system layout for this property. We will work with the applicant's engineering firm to develop this layout.

Please contact us at 507-280-1600 if you have questions.

Very truly yours,

Donn Richardson  
Water

C: Doug Rovang, RPU  
Mike Engle, RPU  
Mark Baker, City Public Works  
Vance Swisher, Fire Prevention  
West 80 Development, LLC  
Yaggy Colby Associates

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## WETLAND COMMENTS FOR DEVELOPMENT APPLICATIONS

Application Number: Land Use Plan Amendment #02-03, Conditional Use Permit #02-46 and GDP #159, West 80 Development

- ☐ No hydric soils exist on the site based on the Soil Survey
- ☒ Hydric soils exist on the site according to the Soil Survey. The property owner is responsible for identifying wetlands on the property and submitting the information as part of this application.
- ☐ A wetland delineation has been carried out for the property and is on file with the Planning Department.
- ☐ A wetland delineation is on file with the Planning Department and a No-Loss, Exemption, or Replacement Plan has been submitted to the Planning Department.
- ☐ A wetland related application has been approved by the City. This plan incorporates the approved wetland plan.
- ☐ No hydric soils exist on the property based on the Soil Survey. However, due to the location in the landscape, the property owner should examine the site for wetlands. The property owner is responsible for identifying wetlands.
- ☒ Other or Explanation:

**The applicant will need to submit a wetland replacment plan given the proposal to construct a road and stormwater pond in the area that is a propabale wetland.**